

# **Exhibit A**

ALPHA ENERGY, a division of ALPHA )  
TECHNOLOGIES SERVICES, INC. )

V.

## Defendants

COMPLAINT FOR BREACH OF CONTRACT,  
UNJUST ENRICHMENT, AND CLAIM  
AGAINST PAYMENT BOND

Plaintiff

V.

Defendant.

## CLAIM AGAINST PERFORMANCE BOND

## JURY TRIAL DEMANDED

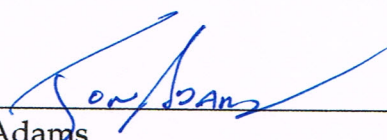
I, Jon Adams, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an adult resident of St. Croix, U.S. Virgin Islands and make this declaration upon personal knowledge of the facts stated in support of GEC's Motion for Partial Summary Judgment.
2. I am employed by GEC, LLC ("GEC") and my title is Vice President.
3. I served as GEC's Project Manager for the "Anna's Hope Affordable Housing Apartments" (the "Anna's Hope Project") wherein GEC was the general contractor.
4. Part of the scope of work of the Anna's Hope Project was the design, procurement and construction of a microgrid system (the "Microgrid") by Alpha under a "Purchase Order Subcontract Agreement" dated on or about July 7, 2015 (the "Subcontract") between GEC and Alpha.

5. Exhibit 37 to the deposition of Mr. Leonard Vega (Alpha's Director, Operations and Project Management) is a true and correct copy (with highlighting added) of a document entitled "Proposal for Jackson Development - Anna's Hope Microgrid" dated February 17, 2015 (the "Alpha Proposal"). This document is attached as Exhibit G to the Partial Motion for Summary Judgment.
6. The Alpha Proposal was incorporated in its entirety within and made part of the Subcontract.
7. Attached as Exhibit H to the Partial Motion for Summary Judgment are relevant excerpts (with highlighting added) of technical data for the Mercedes-Benz Model Year 2016 diesel engines that drive the diesel generators incorporated by Alpha into the Microgrid. These documents, including an EPA Certificate of Conformity, were provided to GEC by Alpha.
8. Attached as Exhibit I to the Partial Motion for Summary Judgment is a true and correct copy (with highlighting added and without attachments) of the "Application for Authority to Construction [sic] and Permit to Operate" dated July 11, 2016 prepared by Alpha's retained electrician and submitted to the Virgin Islands Department of Planning and Natural Resources.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 14<sup>th</sup>, 2020, on St. Croix, Virgin Islands.

  
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Jon Adams